CONTENTS

Acknowledgements viii

1 Progressive Property in Action: Widening the Doctrinal Lens 1

2 Understanding Progressive Property: Traits, Themes, and Values 20

3 Property as Ideology, Individual Right, and Institution 45

4 Engaging Constitutional Property Rights 77

5 Standards of Review and the Form of Constitutional Property Rights 106

6 Adjudicating Fairness: The ‘Unjust Attack’ Assessment 124

7 Security of Possession in a Progressive Constitutional Context 164

8 Security of Value in a Progressive Constitutional Context 197

9 Learning from Progressive Property in Action: Context, Complexity, and the Democratic Mediation of Property Rights and Social Justice 235

Bibliography 269
Table of Cases 292
Index 298